

**4/19/10 - Monday, April 19, 2010**

**CITY OF EAU CLAIRE  
PLAN COMMISSION MINUTES**

**Meeting of April 19, 2010**

City Hall, Council Chambers - 7:00 p.m.

Members Present: Messrs. Kayser, Duax, Kaiser, Seymour, Klinkhammer, Larson, Hibbard

Staff Present: Messrs. Tufte, Reiter, Genskow

The meeting was chaired by Mr. Kaiser.

**1. REZONING (Z-1467-10) “ R-1A to R-3P, Jeffers Road  
and  
PRELIMINARY CONDO PLAT (P-3-10) “ Country Meadows  
and  
SITE PLAN (SP-1006) “ Four 3-plexes**

Mr. Tim Olson has submitted a request to rezone property located on the east side of Jeffers Road, north of the North Crossing, from R-1A to R-3P and to adopt the General Development Plan, site plan, and preliminary condo plat. The project shows four 3-plexes, with the easterly 3-plex noted as a future 3-plex, depending on a future regional drainage pond for this area. The Comprehensive Plan>

Mr. Hibbard questioned why a sidewalk system was not recommended at this time for the private drive. Mr. Tufte responded that the street is anticipated to be temporary and there is not enough room on the site for a sidewalk, which would be removed for construction of a permanent street with City sidewalk should the north side of the private drive be scheduled for development.

Tim Pabich, developer with Mr. Olson, spoke in support of the development noting that trash will be kept within the garages and they will provide screen fences for the patios.

No one appeared in opposition.

Mr. Kayser moved to recommend approval of the request with the conditions listed in the staff report adding a sixth condition to the site plan that the landscape plan will be reviewed by the City Forester. Mr. Duax seconded and the motion carried. Messrs. Hibbard and Kayser voted no.

**2. CONDITIONAL USE PERMIT (CZ-1001) “ Home Occupation and Garage, 4812 Fairfax Street**

Thomas Giles has submitted a request to allow a home occupation for a photography studio at 4812 Fairfax Street. The request also includes an addition to an existing detached garage on the property for a studio, which results in the garage exceeding accessory use standards. The proposed addition results in a detached garage that is 1,348 square feet in area.

The applicant, Mr. Giles, 3811 Boardwalk Street, spoke in support of the request. He stated that he will cause very little traffic in the neighborhood with the business. He needs to put restrooms with sewer and water in the studio for client™s convenience and personal use while working.

Aaron Vachowiak, 2231 Meadow Lane, spoke in opposition. Mr. Vachowiak is the owner of the abutting property to the north. He noted neighbor complaints about traffic in the neighborhood from the apartment dwellers on the east side. This business will add to the traffic. He also spoke against the proposed addition to the detached garage which will have a negative effect on the property values as people do not want to live near a business.

Beau Blade, 4812 Fairfax Street, appeared in support. He is seller of the property and noted that there were two other home occupations within the neighborhood.

Eric Borst, 4826 Fairfax Street, spoke in opposition. He owns the abutting house to the south and objected to the negative impact such a large garage will have on the home values in the neighborhood. He had earlier circulated a petition to restrict parking on the block because of the congestion, but the City Council did not take action.

Mr. Kayser moved to approve the conditional use request with the conditions listed in the staff report, and dividing the request between the home occupation and the larger garage. Mr. Klinkhammer seconded.

Mr. Giles stated that he needs the larger garage for restrooms, storage, equipment, and back scenery for photographs. The sale of this property and other property sales depends on the larger garage.

The motion to approve the home occupation carried with Messrs. Larson and Seymour voting no. The motion to approve the larger garage failed with Messrs. Kayser, Hibbard, Larson, and Seymour voting no.

**3. GENERAL SITE DEVELOPMENT PLAN (PZ-1004) “ UW-EC Student Center**

Mr. FitzGerald joined the meeting.

UW-EC has submitted the site plan for a new student union building, south of the existing Davies Center. The project is a 150,000 square foot, multi-story facility to replace Davies Center, which will be removed and used as green space after completion of the new facility.

Mr. Tufte noted that the City had approved the previous plan. The University has revised their parking estimates. The concern from the Fire Department is the ability to maintain a dry land access to the site in case of flooding. The Fire Department prefers a west site access near the nursing building.

Dr. Beth Hellwig, UW-EC Vice Chancellor, and Rick Zahn, Rettler Corporation, designers, appeared in support. They stated they will work with the Fire Department to secure the access they need.

Terry>

Mr. Tufte stated he would request an opinion from the City Attorney on the need for sign permits.

Mr. FitzGerald moved to recommend approval with the conditions listed in the staff report including that sign permits may be needed. Mr. Kayser seconded and the motion carried.

#### **4. HOUSING AUTHORITY “ Site Acquisition, 920 Vine Street**

Mr. Tufte presented a request from the Housing Authority to recommend a site for acquisition for the CDBG Home Ownership program at 920 Vine Street. This will be the third site the Housing Authority will acquire under this program. The future tenants rent will be used to write down the mortgage for eventual home ownership of the property.

No one appeared in opposition.

Mr. Duax moved to recommend approval. Mr. FitzGerald seconded and the motion carried.

#### **5. SITE PLAN (SP-1007) “ Three Duplexes, Kari Drive**

Rich Lien has submitted a site plan for three duplexes to be located on the north side of Kari Drive, west of Stein Boulevard. The property exists as four lots which will be consolidated into three lots for the larger duplexes.

Mr. Ray Warner, owner of the land, appeared in support.

Mr. FitzGerald stated the design of the garages does meet the design guidelines for the City for duplex development in an answer to Mr. Hibbard's comments on front garages.

Mr. FitzGerald then moved to approve the site plan with the conditions listed in the staff report, adding that the new lots must be recorded with the Register of Deeds. Mr. Kayser seconded and the motion carried. Mr. Hibbard voted no.

#### **6. DISCUSSION**

##### **A. Appointments - West Riverside Study Committee**

Mr. Tufte presented a list of persons who have consented to serve on an advisory committee for the West Riverside Committee. The difficulty at this time is finding residential home owners interested in participating. Mr. Tufte said he will send out invitations to the initial meeting and see if interested person come forth. Several names were suggested by commissioners. The staff will return with a more complete list of names.

##### **B. Ordinance Amendment - Damaged Landmarked Properties**

Mr. Tufte stated that considering a possible draft of an ordinance to allow repairs or replacement to historical landmarks which are nonconforming by use, the staff had further questions of the commission as to what were their specific concerns. Several commissioners stated that they were interested in allowing the reconstruction to go beyond the State limit of 50% of value for a nonconforming use but not allowing the complete rebuilding of a structure.

A new structure would not be truly historical. Mr. Tufte stated that staff will return with a draft ordinance and in the meantime will be researching procedures from other communities.

##### **C. Neighborhood Associations**

Mr. Tufte presented a list and map of neighborhood and business associations which have either recognized City plans (5) or those neighborhood associations which have loose affiliations and/or have not been active lately.

#### **7. MINUTES**

The minutes of the meeting of April 5, 2010, were approved.

